

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Norfolk Division

UNITED STATES OF AMERICA	)	CRIMINAL NO. 2:03cr
	)	
	)	
	)	18 U.S.C. §§ 1029(b)(2) and 1029(a)(3)
v.	)	Conspiracy to Possess
	)	Unauthorized Access Devices
	)	(Count 1)
	)	
HELEN CARR,	)	18 U.S.C. §§ 982, 1029(c)
a/k/a "Kristi Carr,"	)	Forfeiture
a/k/a "Kristi,"	)	
a/k/a "Kwisti," and	)	
a/k/a "Kwistii."	)	

INDICTMENT

August 2003 Term - at Norfolk, Virginia

COUNT ONE

THE GRAND JURY CHARGES THAT:

A. THE CONSPIRACY

From in or about January 2001 through March 2002, the exact dates being unknown, in the Eastern District of Virginia and elsewhere, the defendant, HELEN CARR, a/k/a "Kristi Carr," "Kristi," "Kwisti," and "Kwistii," knowingly and unlawfully was a party, along with George Patterson and other persons known and unknown, to a conspiracy to possess, with intent to defraud and in a manner affecting interstate and foreign commerce, fifteen or more unauthorized access devices, and engaged in conduct in furtherance of the same, in violation of Title 18, United States Code, Section 1029(a)(3).

## B. WAYS, MANNERS, AND MEANS

The ways, manner, and means by which the conspiracy was carried out included, but were not limited to, the following:

1. The object of the conspirators' unlawful agreement was to steal and to obtain by fraudulent means unauthorized access devices, that is, credit card numbers, from persons using AOL as their Internet Service Provider (ISP).

2. It was a part of the conspiracy that the conspirators exchanged information, files, and tools, and communicated with one another in interstate commerce using the Internet and telephones.

3. It was further a part of the conspiracy to obtain by fraudulent means the screen names and passwords of AOL subscribers. For example, the conspirators sent fake "InstaKiss" messages to AOL subscribers. These messages falsely told AOL subscribers that, to receive an InstaKiss from a secret admirer, they had to input their screen name and password into a form, which would later provide this information to the conspirators. The conspirators then used this information to log into AOL, where they then used spamming software to send false and fraudulent mass e-mails ("spam") to other AOL subscribers.

4. It was further a part of the conspiracy to send mass e-mails to AOL subscribers throughout the United States. These false e-mails, purporting to be from AOL's Security Department, advised that AOL's last attempt to bill the subscriber's credit card was declined and that the subscriber needed to supply AOL with updated credit card and account information. To do so, the subscribers were directed to click upon an enclosed link in the e-mail message to visit an AOL web page.

5. It was further a part of the conspiracy that AOL subscribers clicking upon the link were directed to a fictitious "AOL Billing Center" web page prepared and uploaded by the conspirators to Internet sites providing free space for web pages. This fake AOL web page

directed the subscribers to input their names, addresses, telephone numbers, screen names, passwords, and current and new credit card account information, in order to avoid having their AOL accounts terminated.

6. It was further a part of the conspiracy to use a program with the fake AOL Billing Center web page, which automatically forwarded the victim subscribers' credit card account numbers and personal information to free web-based e-mail accounts created by the conspirators.

7. It was further a part of the conspiracy to access the web-based e-mail accounts and to obtain the stolen credit card numbers for use by the conspirators.

### C. OVERT ACTS

In furtherance of the offense which was the object of the conspiracy, the following overt acts, among others, were committed in the Eastern District of Virginia and elsewhere:

1. In or about January 2001, the exact date being unknown, HELEN CARR contacted an online acquaintance, George Patterson, and requested his assistance in obtaining credit card account numbers over the Internet.

2. In or about January 2001, the exact date being unknown, HELEN CARR sent George Patterson various tools, files, and information, including a file containing a web page, which was falsely titled as the "AOL Billing Center" and which was designed to trick AOL customers into supplying credit card account numbers and personal information to the conspirators.

3. In or about January 2001, the exact date being unknown, HELEN CARR requested that an unindicted conspirator establish a free, web-based e-mail account with Yahoo!, which later was used to receive stolen credit card numbers and personal information obtained from AOL subscribers.

4. On or about January 30, 2001, an unindicted conspirator created an e-mail account with Yahoo! with the e-mail address of kwisti\_snow@yahoo.com.

5. On or about February 10, 2001, George Patterson uploaded the fake AOL Billing Center web page that HELEN CARR provided to him to [www.geocities.com/asdfdsfsad/aolbillz.htm](http://www.geocities.com/asdfdsfsad/aolbillz.htm).

6. On or about February 11, 2001, a conspirator used a stolen e-mail account to send through AOL's servers in the Eastern District of Virginia to numerous AOL subscribers, including one in Virginia Beach, VA, an e-mail purportedly from a "Steve Baldger" in the AOL Security Department, which stated that the last attempt to bill the subscriber's credit card had failed and that the subscriber needed to supply updated information to continue receiving AOL services.

7. In or about February and March 2001, the exact date being unknown, HELEN CARR used a program known as "Green Eggs and Spam" to send an e-mail through AOL's servers in the Eastern District of Virginia to numerous AOL subscribers, which e-mail purported to be from AOL's Security Department and stated that the last attempt to bill the subscriber's credit card had failed and that the subscriber needed to supply updated information to continue receiving AOL services.

8. In or about February and March 2001, the exact date being unknown, HELEN CARR, George Patterson, and other conspirators accessed the [kwisti\\_snow@yahoo.com](mailto:kwisti_snow@yahoo.com) e-mail account and obtained more than fifteen victim credit cards account numbers, which they were not entitled to receive and to possess.

9. On or about March 11, 2001, George Patterson accessed the [kwisti\\_snow@yahoo.com](mailto:kwisti_snow@yahoo.com) e-mail account and changed the account password.

10. On or about March 11, 2001, HELEN CARR accessed the [kwisti\\_snow@yahoo.com](mailto:kwisti_snow@yahoo.com) e-mail account and changed the account password.

11. On or about March 18, 2001, a conspirator accessed the [kwisti\\_snow@yahoo.com](mailto:kwisti_snow@yahoo.com) e-mail account and changed the account password.

12. On or about March 19, 2001, HELEN CARR accessed the [kwisti\\_snow@yahoo.com](mailto:kwisti_snow@yahoo.com)

yahoo.com e-mail account and changed the account password.

(In violation of Title 18, United States Code, Section 1029(b)(2)).

### FORFEITURE

A. The defendant, HELEN CARR, if convicted of the violation charged in count one of the indictment, shall forfeit to the United States:

1. Any personal property used and intended to be used to commit the offense, and any property, real or personal, constituting, or derived from, proceeds, obtained directly or indirectly, as a result of the violation.

(All in violation of Title 18, United States Code, Sections 1029(c)(1)(C), 1029(c)(2), and 982(a)(2)(B)).

B. The property and proceeds subject to forfeiture under paragraph A, includes, but is not limited to, the following:

1. The following items associated with a Sony VAIO personal computer:

-1 central processing unit in a gray case, with 2 drives, bearing serial #  
133G122R00708809

2. The following items associated with a computer system:

-1 central processing unit in a white case, with 2 drives, without a serial number

C. If any property that is subject to forfeiture above, as a result of any act or omission of the defendant:

1. cannot be located upon the exercise of due diligence;
2. has been transferred to, sold to, or deposited with a third person;
3. has been placed beyond the jurisdiction of this Court;

4. has been substantially diminished in value; or
5. has been commingled with other property such that it cannot be subdivided without difficulty; then,

It is the intent of the United States to seek forfeiture of the other property of the defendant, up to the value of any property described above.

(All in violation of Title 18, United States Code, Section 982(b)(1), incorporating the provisions of Title 21, United States Code, Section 853(p)).

A TRUE BILL:

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FOREPERSON

Paul J. McNulty  
United States Attorney

By: \_\_\_\_\_  
Robert J. Krask  
Assistant United States Attorney  
8000 World Trade Center  
101 W. Main Street  
Norfolk, VA 23510  
(757) 441-6331